



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Docket No.: 019496-001810US  
Client Ref. No.: S1-US2

#16/a  
Hyt  
5/13/03

On March 17, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Townsend and Townsend and Crew LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

APR 11 2003

RECEIVED

In re application of:

EISENBERG et al.

Application No.: 09/825,242

Filed: April 2, 2001

For: SELECTION OF SITES FOR  
TARGETING BY ZINC FINGER  
PROTEINS AND METHODS OF  
DESIGNING ZINC FINGER PROTEINS  
TO BIND TO PRESELECTED SITES

Examiner: John S. Brusca

Art Unit: 1631

COMMUNICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Communication mailed February 18, 2003, Applicants enclose the following items requested by the Examiner:

1. A clean version of the substitute specification incorporating all changes to specification made by previous amendments, pursuant to 37 CFR 1.125(a).
2. A courtesy copy of the preliminary amendment filed with the specification on April 2, 2001.

The specification has been amended to include a sentence describing the priority data for this application. Because this priority claim was previously submitted in both the ADS

EISENBERG et al.  
Application No.: 09/825,242  
Page 2

PATENT

and transmittal letter filed with the application on April 2, 2001, the amendment does not constitute new matter.

The claims in the substitute specification reflect the status of claims following submission of the Preliminary Amendment filed April 2, 2001. Briefly, claims 1-34, 44-47, and 50-51 have been canceled. Claims 35-43, 48-49, and 52-53 are pending.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at .

Respectfully submitted,



Joe Liebeschuetz  
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (650) 326-2400  
Fax: (650) 326-2422  
JOL:adm

2603058441245

"Express Mail" Label No.

Date of Deposit

April 2, 2001

PATENT  
Attorney Docket No.: 19496-001810US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

By:

*J. Wesselschue*



TECH CENTER 1600/2900

APR 11 2003

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

EISENBERG et al.

Application No.:

Filed: March 30, 2001

For: SELECTION OF SITES FOR  
TARGETING BY ZINC FINGER  
PROTEINS AND METHODS OF  
DESIGNING ZINC FINGER PROTEINS  
TO BIND TO PRESELECTED SITES

Examiner:

Jeffrey Lundgren

Art Unit:

1631

COMMUNICATION UNDER

37 C.F.R. §§ 1.821-1.825

AND

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant submits herewith the required paper copy of the Sequence Listing. Applicant has concurrently filed Request To Reference Previously Filed Identical Computer Readable Copy According To 37 CFR 1.821(e); and, therefore, Applicant has not submitted computer readable copy of the sequence listing herewith.

Prior to examination of the above-referenced application, please enter the following amendments and remarks.

In the specification:

Please replace the paragraph beginning at line 13 of page 1 with the following rewritten paragraph:

Zinc finger proteins (ZFPs) are proteins that can bind to DNA in a sequence-specific manner. Zinc fingers were first identified in the transcription factor TFIIIA from the oocytes of the African clawed toad, *Xenopus laevis*. An exemplary motif characterizing one class of these protein (C<sub>2</sub>H<sub>2</sub> class) is -Cys-(X)<sub>2-4</sub>-Cys-(X)<sub>12</sub>-His-(X)<sub>3-5</sub>-His (SEQ ID NO:1) (where X is any amino acid). A single finger domain is about 30 amino acids in length, and

Do Not Enter Copy of Preliminary Amendment  
11 September 2003

a.